

## SENATE BILL No. 53

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-4-3-21.5.

**Synopsis:** Approval of annexation agreements. Establishes requirements for an annexation agreement that is executed and recorded after June 30, 2015. Requires that the agreement must be signed by: (1) the owners of real property who are parties to the agreement; or (2) a representative appointed from among the owners of real property who are parties to the agreement.

**Effective:** July 1, 2015.

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January 6, 2015, read first time and referred to Committee on Local Government.

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First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

## SENATE BILL No. 53

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 36-4-3-21.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2015]: **Sec. 21.5. (a) This section applies only to an agreement**  
4 **executed and recorded after June 30, 2015.**  
5 **(b) This section applies to an agreement between a municipality**  
6 **and owners of real property, if all or part of the consideration for**  
7 **the agreement is that the owners of the real property agree to:**  
8 **(1) the annexation of the owners' real property by the**  
9 **municipality; or**  
10 **(2) withdraw a remonstrance or not remonstrate against the**  
11 **annexation of the owners' real property by the municipality.**  
12 **(c) In order to be valid, an agreement described in subsection**  
13 **(b) must meet the following requirements:**  
14 **(1) The agreement must be recorded with the county recorder**  
15 **of the county where the municipality is located:**  
16 **(A) after the agreement is executed as required under this**



1           section; or  
2           **(B) if a remonstrance has been filed under section 11 of**  
3           **this chapter, after the agreement is approved by the court**  
4           **in which the remonstrance was filed.**  
5       **(2) The agreement must be signed by:**  
6           **(A) the owners of real property who are parties to the**  
7           **agreement; or**  
8           **(B) a representative appointed from among the owners of**  
9           **real property who are parties to the agreement;**  
10       **as of the date the agreement is recorded under subdivision (1).**  
11       **The date each signature was made must be written next to the**  
12       **signature.**

